



BOARD OF ZONING ADJUSTMENTS

Draft Agenda

November 14, 2016

MEETING INFORMATION

Location

Homeland Security Conference Room

8th Floor, Room 8E10
City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.
*Decision Appeals are heard
after 1 p.m.*

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Jaime Ramiro Diaz

Alfonso Gonzalez II

Mary Harper Malone

Nikolaus Richard

Michael K. Broussard

The general public cannot speak
with the members personally.

The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **November 24, 2016**.

General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the box provided. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

This is the Draft Agenda

Should you wish to view an application you may do so online at onestopapp.nola.gov. The requested waivers are subject to change prior to the hearing. Should you wish to submit comments on any of the matters included in the agenda, you may do so in the following ways:

E-mail – CPCinfo@nola.gov or the planner listed on the agenda
Mail – 1300 Perdido Street Room 7W03, New Orleans, Louisiana 70112
Fax – 504-658-7032

All written correspondence should include the docket number and be made to the attention of the Staff of the Board of Zoning Adjustments. The deadline for public comment is **no later than 5:00 p.m. on the Monday before the meeting.**

- A. Call to Order, Roll Call, Adoption of Minutes, Communications and Reading of Hearing Rules
- B. Rules Committee
- C. BZA Dockets – Current Comprehensive Zoning Ordinance - Unfinished Business

ITEM 1 – Docket Number: 047-16

Applicant or Agent:	Gebre E. Amare, Michael Tifft		
Property Location:	1544 Gentilly Boulevard	Zip:	70119
Bounding Streets:	Gentilly Blvd., Laharpe St., Paul Morphy St., Bayou Rd.		
Zoning District:	HU-B1 Neighborhood Business District		
Historic District:	Esplanade Ridge	Planning District:	4
Existing Use:	Vacant Lot	Square Number:	1530
Proposed Use:	Retail Goods Establishment	Lot Number:	X or 6 & 7
Project Planner:	Nicholas Kindel (njkindel@nola.gov)		

Request Citation: This request is for a variance from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a retail goods establishment with insufficient rear yard depth. **(AFTER THE FACT)**

Requested Waiver:

Section 12.3.A.1 (Table 12-2) – Rear Yard Setback

Required: 15'	Provided: 5'-½"	Waiver: 9'-11 ½"
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ITEM 2 – Docket Number: 074-16

Applicant or Agent: Mirus New Orleans LLC, C. Spencer Smith, AIA Architects
Property Location: 14550 Dwyer Boulevard et al **Zip:** 70129
Bounding Streets: Dwyer Blvd., Alsace St., & Maxent Canal
Zoning District: S-RM2 Multi-Family Residential District
Historic District: N/A **Planning District:** 10
Existing Use: Multi-Family Residence **Square Number:** Area IV
Proposed Use: Multi-Family Residence **Lot Number:** 7-F & 7-H
Project Planner: Danica Adams, Brooke Perry (dcadams@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 23, Section 23.3.C.5 and Section 23.3.C.11 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a multi-family housing development which includes greater than five thousand (5,000) square feet of impervious surface and which is greater than one (1) acre in size and does not detain the first one and one quarter inch (1.25") of stormwater runoff during each rain event and whose post-development stormwater runoff rate is not less than the pre-development runoff rate.

Requested Waivers:**Article 23, Section 23.3.C.5 – Content of Stormwater Management Plan**

Required: 1.25" Provided: 0.24" Waiver: 1.01"

Article 23, Section 23.3.C.11 – Content of Stormwater Management Plan

Required: Post-Development Runoff Rate < Pre-Development Runoff Rate

Provided: Post-Development Runoff Rate = Pre-Development Runoff Rate

Waiver: Post-Development Runoff Rate < Pre-Development Runoff Rate

D. BZA Dockets – Current Comprehensive Zoning Ordinance - New Business**ITEM 3 – Docket Number: 084-16**

Applicant or Agent: Repetition LLC, Sherman Strategies, LLC
Property Location: 3922 Buchanan Street **Zip:** 70122
Bounding Streets: Buchanan St., Caton St., Cadillac St., & Foy St.
Zoning District: S-RD Two-Family Residential District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 2684
Proposed Use: Two-Family Residence **Lot Number:** 4
Project Planner: Emily Hernandez (erhernandez@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient minimum lot width.

Requested Waiver:

<u>Article & Section</u>	<u>Required</u>	<u>Provided</u>	<u>Waiver</u>
Article 13, 13.3.A.1 (Table 13-2)- Minimum Lot Width	50'	42'	8'

**ITEM 4 – Docket Number: 085-16**

Applicant or Agent: Michael Wood, Kelly Wood
Property Location: 3201 Gravier Street **Zip:**
Bounding Streets: Gravier St., S. Lopez, S. Rendon, & Tulane Ave.
Zoning District: MU-2 High Intensity Mixed-Use District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 664
Proposed Use: Two-Family Residence **Lot Number:** 1
Project Planner: Stosh Kozlowski (sakozlowski@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient minimum lot area.

Requested Waiver:

<u>Article & Section</u>	<u>Required</u>	<u>Provided</u>	<u>Waiver</u>
Article 15, 15.3.A.1 (Table 15-2)- Minimum Lot Area	1700 sq. ft./du	1374.75 sq. ft./du	325.25 sq. ft./du

ITEM 5 – Docket Number: 086-16

Applicant or Agent: Schoen Fuselier Co., LLC
Property Location: 817 N. Villere Street **Zip:** 70116
Bounding Streets: N. Villere St., St. Ann St., Dumaine St., & N. Roberston St.
Zoning District: HMR-1 Historic Marigny/Tremé/Bywater Residential District
Historic District: Tremé **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 179
Proposed Use: Vacant Lot **Lot Number:** B (Proposed A2)
Project Planner: Stosh Kozlowski (sakozlowski@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 109/16 to permit the creation of a lot with insufficient minimum lot width.

Requested Waiver:

<u>Article & Section</u>	<u>Required</u>	<u>Provided</u>	<u>Waiver</u>
Article 9, 9.3.A (Table 9-2)- Minimum Lot Width	25'	23'-11"	1'-1"

**ITEM 6 – Docket Number: 087-16**

Applicant or Agent: James A Jr Dominguez
Property Location: 981 Germain Street **Zip:** 70124
Bounding Streets: Orleans Ave., Germain St., Gen. Haig St., & French St.
Zoning District: S-LRS1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** 292
Proposed Use: Single-Family Residence **Lot Number:** 25 & 26
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with insufficient corner side yard width.

Requested Waiver:

<u>Article & Section</u>	<u>Required</u>	<u>Provided</u>	<u>Waiver</u>
Article 13, 13.3.A.1 (Table 13-2)- Corner Side Yard Setback	10'	5'	5'



ITEM 7 – Docket Number: 088-16

Applicant or Agent: Shane Purl, Lea Witkowski-Purl
Property Location: 4909 Baccich Street **Zip:** 70122
Bounding Streets: Baccich St., Mirabeau Ave., Selma St., Eastern St.
Zoning District: S-RS Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Single-Family Residence **Square Number:** 47
Proposed Use: Single-Family Residence **Lot Number:** 45 & 46
Project Planner: Kelly Butler (kgbutler@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 21, Section 21.6.P.2 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of a detached garage, resulting in excessive height. **(AFTER THE FACT)**

Requested Waiver:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 21, 21.6.P.2 - Detached Garages	16'	18'	2'

**ITEM 8 – Docket Number: 089-16**

Applicant or Agent: Radee & Kim Washington, Onyx Group, LLC
Property Location: 432-434 N. Miro Street **Zip:** 70119
Bounding Streets: N. Miro St., St. Louis St., Galvez St., & Conti St.
Zoning District: HU-MU Neighborhood Mixed-Use District
Historic District: N/A **Planning District:** 4
Existing Use: Two-Family Residence **Square Number:** 279
Proposed Use: Two-Family Residence **Lot Number:** A
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit an addition onto an existing two-family residence, resulting in insufficient rear yard depth. **(AFTER THE FACT)**

Requested Waiver:

<u>Article & Section</u>	<u>Required</u>	<u>Provided</u>	<u>Waiver</u>
Article 12, 12.3.A.1 (Table 12-2)- Rear Yard Setback	15'	10'	5'



ITEM 9 – Docket Number: 090-16

Applicant or Agent: Christopher Cochran, Charles Marts
Property Location: 1107 St Anthony Street **Zip:** 70116
Bounding Streets: St. Anthony St., N. Rampart St., Pauger St., & St. Claude Ave.
Zoning District: HMC-2 Historic Marigny/Tremé/Bywater Commercial District
Historic District: Faubourg Marigny **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 377
Proposed Use: Single-Family Residence **Lot Number:** 7 (Proposed B-1)
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 10, Section 10.3.A (Table 10-2) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 101/16 to permit the creation of a lot with insufficient minimum lot area.

Requested Waiver:

<u>Article & Section</u>	<u>Required</u>	<u>Provided</u>	<u>Waiver</u>
Article 10, 10.3.A (Table 10-2)- Minimum Lot Area	1,500 sq. ft.	1396.45	103.55

**ITEM 10 – Docket Number: 091-16**

Applicant or Agent: Chartres Exchange Condominium Association
Property Location: 333 Chartres St., 332 Exchange Pl. **Zip:** 70130
Bounding Streets: Chartres St., Exchange Pl., Bienville Ave., & Conti St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Mixed-Use **Square Number:** 37
Proposed Use: Mixed-Use **Lot Number:** D-1
Project Planner: Brittany DesRocher (bbdesrocher@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 10, Section 10.3.A (Table 10-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit an addition onto an existing mixed-use building resulting in excessive height.

Requested Waiver:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 10, 10.3.A (Table 10-2)- Maximum Building Height	50'	57'-4"	7'-4"



ITEM 11 – Docket Number: 092-16

Applicant or Agent: 1st Street Racquet Club
Property Location: 2375 Tchoupitoulas Street **Zip:** 70130
Bounding Streets: Tchoupitoulas St., First St., Rousseau St. Soraparu St.
Zoning District: MU-1 Medium Intensity Mixed-Use District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Warehouse **Square Number:** 27
Proposed Use: Reception Facility **Lot Number:** 5, 6, & 7
Project Planner: Tyler Antrup (tjantrup@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 20, Section 20.3.WW of the Comprehensive Zoning Ordinance.

Request: This request is to permit a reception facility with insufficient minimum distance from the nearest residential district.

Requested Waiver:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 20, 20.3.WW - Reception Facility	200'	30'	170'



ITEM 12 – Docket Number: 093-16

Applicant or Agent: WTJ Group LLC, Thais Santos
Property Location: 219-221 N. Tonti Street **Zip:** 70119
Bounding Streets: N. Tonti St., Iberville St., N. Rocheblave St., & Bienville St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 305
Proposed Use: Single-Family Residence **Lot Number:** 27
Project Planner: Danica Adams (dcadams@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 11, Section 11.3.A.1, Article 11, Section 11.3.B.3, Article 22, Section 22.8.B.1, and Article 22, Section 22.11.D of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with an excessive front yard setback, excessive paving in the front yard, and an off-street parking space in the front yard that is too close to the side property line.

Requested Waivers:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 11, 11.3.A.1 (Table 11-2A)- Maximum Impervious Surface in Front Yard	40% max	50%	10%
Article 11, 11.3.B.3.a-Parking Restrictions	0 spaces in the front yard	1	1
Article 22, 22.8.B.1 - Permitted Vehicle Parking Locations (Front Yard)	0	1	1
Article 22, 22.11.D.1-Parking Pad Design (Location)	0 spaces in the front yard	1	1
Article 22, 22.11.D.2-Parking Pad Design (Location)	0 spaces in the front yard	1	1
Article 22, 22.11.D.3-Parking Pad Design (Location)	3' from side lot line	1'-8"	1'-4"



ITEM 13 – Docket Number: 094-16

Applicant or Agent: Darrin Champagne
Property Location: 920 Delaronde Street **Zip:** 70114
Bounding Streets: Delaronde St., Elmira St., Pacific Ave., & Patterson St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: Algiers Point **Planning District:** 12
Existing Use: Vacant Lot **Square Number:** 43
Proposed Use: Single-Family Residence **Lot Number:** E (Proposed E1)
Project Planner: Sabine Lebailleur (selebailleur@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 11, Section 11.3.A.1. (Table 11-2A) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 108/16 to permit the creation of a lot with insufficient minimum lot area and insufficient minimum lot width.

Requested Waiver:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 11, 11.3.A.1 (Table 11-2A)- Minimum Lot Width	30'	27'-6"	2'-6"

**ITEM 14 – Docket Number: 095-16**

Applicant or Agent: Darrin Champagne
Property Location: 920 Delaronde Street **Zip:** 70114
Bounding Streets: Delaronde St., Elmira Ave., Pacific Ave., & Patterson St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: Algiers Point **Planning District:** 12
Existing Use: Vacant Lot **Square Number:** 43
Proposed Use: Single-Family Residence **Lot Number:** E (Proposed E2)
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 11, Section 11.3.A.1. (Table 11-2A) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 108/16 to permit the creation of a lot with insufficient minimum lot width.

Requested Waiver:

<u>Article & Section</u>	<u>Permitted</u>	<u>Provided</u>	<u>Waiver</u>
Article 11, 11.3.A.1 (Table 11-2A)- Minimum Lot Width	30'	27'-6"	2'-6"

E. Reasonable Accommodation Appeals – Old Business**ITEM 15 – Docket Number: RA003-16**

Applicant or Agent:	Justin B. Schmidt, Christopher D. Villere	
Property Location:	1467 Arabella Street	Zip: 70115
Bounding Streets:	Arabella St., Hurst St., Joseph St., & Garfield St.	
Zoning District:	HU-RD2 Two-Family Residential District	
Historic District:	N/A	Planning District: 3
Existing Use:	Single-Family Residence	Square Number: 58
Proposed Use:	Single-Family Residence	Lot Number: A

Request Citation: This request is for a reasonable accommodation from the provisions Article 11, Section 11.3.A.1 (Table 11-2A), and Article 22, Section 22.8.B.1(b), Section 22.11.B1, Section 22.11.B1.a.i, Section 22.11.B1.a.iii, Section 22.11.D.1, and Section 22.11.D.2 of the Comprehensive Zoning Ordinance.

Request: This request is to permit an off-street parking space in a required front yard with excessive impervious surface, excessive number of curb cuts, and insufficient lot width for a circular drive **(AFTER THE FACT)**.

Requested Accommodations:**Section 11.3.A.1 (Table 11-2A) - Maximum Impervious Surface - Front Yard**

Permitted: 40%	Provided: 85%	Waiver: 45%
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Section 22.8.B.1(b) - Permitted Vehicle Parking Locations (Residential Uses - Front Yard)

Permitted: 0 Spaces	Provided: 1 Space	Waiver: 1 Space
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Section 22.11.B1 - Curb Cuts

Permitted: 1 curb cut	Provided: 2 curb cuts	Waiver: 1 curb cut
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Section 22.11.B1.a.i - Curb Cuts

Required: 0 spaces in front yard	Provided: 1 space	Waiver: 1 space
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Section 22.11.B1.a.iii - Curb Cuts

Required: 50' lot width	Provided: 45'	Waiver: 5'
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Section 22.11.D.1- Parking Pad Design for Single- and Two-Family Residential

Permitted: 0 spaces in front yard	Provided: 1 space	Waiver: 1 space
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Section 22.11.D2- Parking Pad Design for Single- and Two-Family Residential

Permitted: 0 spaces in front yard	Provided: 1 space	Waiver: 1 space
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F. Director of Safety and Permits Decision Appeals – Unfinished Business**ITEM 16 – Docket Number: 056-16**

Applicant or Agent:	Leonard Washington, Michael Tifft	
Property Location:	1421-1423 Marais Street	Zip: 70116
Bounding Streets:	Kerlerec St., N. Villere St., Esplanade Ave., Marais St.	
Zoning District:	HMR-3 Historic Marigny/Tremé/Bywater Residential District	
Historic District:	Tremé	Planning District: 4
Existing Use:	Two-Family Residence	Square Number: 501
Proposed Use:	Multi-Family Residence	Lot Number: F19

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the loss of non-conforming use of a nine-plex.

**ITEM 17 – Docket Number: 081-16**

Applicant or Agent:	Edward F. Lang, III, The Steeg Law Firm	
Property Location:	5208-5210 Coliseum Street	Zip: 70115
Bounding Streets:	Coliseum St., Dufossat St., Chestnut St., Bellecastle St.	
Zoning District:	HU-RD2 Two-Family Residential District	
Historic District:	N/A	Planning District: 3
Existing Use:	Single-Family Residence	Square Number: 299
Proposed Use:	Single-Family Residence	Lot Number: 14

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the determination that the front yard parking has not obtained non-conforming status.



ITEM 18 – Docket Number: 083-16

Applicant or Agent: Robert E. Zrabkowski, Aurora Gardens Neighborhood Association
Property Location: 6301-6341 Stratford Place **Zip:** 70131
Bounding Streets: Stratford Pl., Aurora Dr. and Sullen Pl.
Zoning District: S-RM1 Multi-Family Residential District
Historic District: N/A **Planning District:** 12
Existing Use: Convalescent Home **Square Number:** 128
Proposed Use: Large Group Home **Lot Number:** B

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the determination that the proposed use of the subject property was a “convalescent home” under the former Comprehensive Zoning Ordinance.

G. Director of Safety and Permits Decision Appeals – New Business**ITEM 19 – Docket Number: 096-16**

Applicant or Agent: Cheers Nola, LLC, Geocor Properties LLC
Property Location: 500 Elmira Avenue **Zip:** 70114
Bounding Streets: Elmira Ave., Eliza St., Evelina St., & Pacific Ave.
Zoning District: HU-B1A Neighborhood Business District
Historic District: Algiers Point **Planning District:** 12
Existing Use: Bar **Square Number:** 97
Proposed Use: Bar **Lot Number:** 24

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the loss of non-conforming use of a bar.

H. Adjournment